United Nations A/64/612

General Assembly

Distr.: General
28 December 2009
English
Original: Spanish

Sixty-fourth session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 18 December 2009 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a copy of the identical notes of 1 December 2009 addressed to the President of the European Council, the High Representative of the European Union for Foreign Affairs and Security Policy, the President of the European Commission and the President of the European Parliament on the occasion of the entry into force on 1 December 2009 of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, which are henceforth entitled, respectively, the Treaty on European Union and the Treaty on the Functioning of the European Union.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 23, which concerns the Malvinas Islands.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 18 December 2009 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to refer to the entry into force of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community.

With regard to the list of overseas countries and territories (annex II) to which the arrangements for association of the overseas countries and territories provided for in part four of the Treaty on the Functioning of the European Union apply, the Argentine Republic recalls that the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands, as well as the Argentine Antarctic Sector, are an integral part of its national territory.

Accordingly, the Argentine Government rejects the attempt to include those parts of the Argentine national territory in the list of territories in annex II to which part four of the Treaty on the Functioning of the European Union applies.

The Argentine Republic reiterates its position, as set forth in its note CEE No. 43 of 25 July 1972 to the Secretary-General of the Council of the European Union on the occasion of the signing of the Treaty of Accession of the United Kingdom of Great Britain and Northern Ireland to the European Communities and in subsequent communications, as well as in notes CEE No. 117/07 to the Presidency of the Council of the European Union, CEE No. 115/07 to the Presidency of the European Commission and CEE No. 116/07 to the Presidency of the European Parliament of 13 December 2007, which reaffirmed its position to the European institutions on the occasion of the signing of the Treaty of Lisbon.

The attempt to include the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands in the list of overseas territories to which the arrangements for association of the overseas countries and territories apply contradicts Argentina's sovereignty over those islands and the fact that the archipelagos are the subject of a sovereignty dispute recognized by the United Nations and other international organizations.

The Argentine Government expects the European Union and its member States to bear in mind that the shared obligation of Argentina and the United Kingdom to resolve this dispute necessarily and inevitably requires that all other States, individually and in their collective action, must refrain from carrying out acts that could impede the fulfilment of that obligation. That entails refraining from carrying out acts that distort the nature and scope of the dispute and also from assisting either of the parties to the dispute in carrying out unilateral acts in overt violation of resolutions of the United Nations General Assembly.

Furthermore, the Argentine Republic calls upon the European Union, in accordance with the principles of international law, to take into account the existence of the sovereignty dispute between Argentina and the United Kingdom over the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands and the surrounding maritime areas, so that any reference to those territories in the documents of the European Union reflects their disputed status.

It should also be noted that the inclusion of the so-called "British Antarctic Territory" in the list referred to above does not in any way affect the rights of the

Argentine Republic over the Argentine Antarctic Sector. It is also necessary to bear in mind the provisions of article IV of the Antarctic Treaty, to which both the Argentine Republic and the United Kingdom are parties.

The Argentine Government reaffirms its legitimate rights of sovereignty over the Malvinas Islands, the South Georgia Islands and the South Sandwich Islands and the surrounding maritime areas, as well as over the Argentine Antarctic Sector.

United Nations A/64/613–S/2009/674

General Assembly
Security Council

Distr.: General
28 December 2009

Original: English

General Assembly
Sixty-fourth session
Agenda item 17
The situation in Afghanistan

Security Council
Sixty-fourth year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction and overview

1. The present report is submitted pursuant to General Assembly resolution 63/18 and Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA). In that resolution, the Council requested a report on developments in Afghanistan every three months. The present report reviews the situation in Afghanistan and the activities of UNAMA, focusing particularly on the elections, political developments and the deteriorating security situation since my previous report of 22 September 2009 (A/64/364-S/2009/475). Assistant Secretary-General for Peacekeeping Operations Edmond Mulet and I briefed the Security Council on 28 and 29 October, respectively, on the 28 October attack in Kabul that killed five United Nations personnel. On 30 October, I briefed the General Assembly on the attack and, on 6 November, I briefed the Council members on my visit to Afghanistan on 2 November.

II. Elections, political developments and human rights

2. Following the 8 September recount order of the Electoral Complaints Commission (see A/64/364-S/2009/475), my Special Representative engaged in more than two weeks of intense dialogue with both the Electoral Complaints Commission and the Independent Electoral Commission to forge an agreement between those two institutions on how to implement the order and address the suspected fraud in the 20 August presidential election. He considered it imperative to avoid a clash between the institutions, while setting in place a methodology that was sound and conformed to international best practices. On 24 September, the Independent Electoral Commission and the Electoral Complaints Commission

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agreed that the best modality for implementing the Electoral Complaints Commission order was to audit suspect ballots through statistical sampling. The Independent Electoral Commission administered the audit, with oversight by the Electoral Complaints Commission and in the presence of candidate agents and observers. Concomitantly, the Electoral Complaints Commission continued its investigations into other complaints received throughout the electoral process.

3. While leading presidential candidates Hamid Karzai and Abdullah Abdullah welcomed the audit in principle, they both had concerns with how the Independent Electoral Commission and the Electoral Complaints Commission would administer it, in particular with respect to the statistical methodology that would be used. As the audit process neared completion, both candidates and their representatives appeared increasingly sceptical about the process and the validity of its findings. My Special Representative and his team of electoral experts met regularly with both candidates to clarify the audit process, answer their questions and to ultimately allay their concerns.

4. On 19 October, the Electoral Complaints Commission announced that it had completed its work on the presidential elections, which included reviewing the audit process and making decisions based on the findings of the audit, adjudicating all complaints that could have a material effect on the final results and issuing its findings on ballot boxes that had been quarantined earlier by the Independent Electoral Commission. The quarantined boxes had triggered one or more of the fraud detection measures put in place by the Independent Electoral Commission with the assistance of the United Nations Development Programme Enhancing Legal and Technical Capacity for Tomorrow (ELECT) project, and therefore had to be further investigated. The boxes were subsequently referred by the Independent Electoral Commission to the Electoral Complaints Commission for investigation. The Electoral Complaints Commission delivered its findings to the Independent Electoral Commission for implementation and for the certification of final results from the first round of voting in the presidential election.

5. The preliminary results, when adjusted on the basis of the Electoral Complaints Commission decision, showed that no candidate had obtained over 50 per cent of the vote, thereby triggering the need for a second round. Allegations were raised by the supporters and campaign team of President Hamid Karzai that such a decision was the result of foreign interference, signalling that the results might not be accepted. This position led to a flurry of high-level diplomatic negotiations, conducted in particular by United States Senator John Kerry and my Special Representative, to encourage the candidates and all relevant stakeholders to support the conduct of the electoral process in accordance with the Afghan Constitution. On 20 October, President Karzai held a press conference announcing that he would take part in a presidential run-off vote, if one were needed.

6. On 21 October, the Independent Electoral Commission announced that President Karzai had received 49.67 per cent of the total valid votes (a decrease of 4.95 per cent from the preliminary results) and Dr. Abdullah received 30.59 per cent of the total valid votes (an increase of 2.8 per cent from the preliminary results). With no candidate receiving more than 50 per cent of the votes, the Independent Electoral Commission announced that a second round of elections was required and would be held on 7 November. All previously accredited candidate agents, as well as domestic and international observers, would have the right to observe the second

round. Even before this announcement, the Independent Electoral Commission, supported by the United Nations Development Programme ELECT project, had begun operational preparations for a possible second round, ordering ballots and distributing materials to regional centres.

7. On 22 October, UNAMA and the Afghan Independent Human Rights Commission issued their third joint political rights monitoring report on the 20 August elections, covering the period from 1 August to 21 October 2009. It noted that the overall security situation during the reporting period, including a high number of attacks and other forms of intimidation on polling day, had influenced the decision of the Afghans on whether or not to vote and had resulted in lower participation than in previous elections. The report also noted that Afghan women had demonstrated an increased interest in political matters, but had voted in much fewer numbers than men. Proxy voting, underage voting and the use of multiple registration cards by voters occurred in parts of the country. A large number of allegations regarding electoral fraud and irregularities, related mainly to ballot box stuffing, were made, particularly in the central, southern, eastern and south-eastern regions.

8. On 26 October, Dr. Abdullah announced a set of conditions for his participation in the second round, including the dismissal of Independent Electoral Commission Chairman Azizullah Ludin, the removal of additional election officials, governors and police chiefs and the suspension of three cabinet members. Dr. Abdullah stipulated that the conditions needed to be met by 31 October. The Independent Electoral Commission and President Karzai rejected the conditions. On 1 November, Dr. Abdullah announced that he would not participate in a second round of the presidential elections, stating that the conditions were not conducive to free and fair elections and highlighting that none of his conditions had been met. Dr. Abdullah indicated that he would not join any Government coalition, but would continue to work in the interest of the Afghan people.

9. On 2 November, I visited Afghanistan, where I met with President Karzai and Dr. Abdullah and noted the need to bring the electoral process to a conclusion in a legal and timely manner. The same day, the Independent Electoral Commission declared Hamid Karzai, the sole candidate in the run-off election, as the President-elect for a second term of five years. Pursuant to its authority under article 156 of the Afghan Constitution, the Independent Electoral Commission based its decision on article 61 of the Constitution, according to which a second round can only be held between the two leading candidates from the first round. The Independent Electoral Commission has also taken into account additional considerations, such as financial costs, timing and security. The announcement sparked celebrations by the supporters of President Karzai in a number of provinces across the country. Dr. Abdullah held a press conference during which he stated that the Independent Electoral Commission decision had no legal basis, but he did not challenge the Commission's ruling in court.

10. With respect to the provincial council elections, as at 12 December, the Electoral Complaints Commission had formally delivered all 34 provincial council decisions to the Independent Electoral Commission, thus allowing the Independent Electoral Commission to certify the results. The Independent Electoral Commission is also in a position to begin conducting elections of the provincial council members to the Meshrano Jirga. In total, 3,339 candidates ran for a total of 420 provincial

council seats. Overall, turnout was assessed by the Independent Electoral Commission to be higher for the provincial council vote than for the presidential vote. The Independent Electoral Commission has conducted audits and recounts of the preliminary results for the Nangarhar, Kandahar, Ghazni and Paktika provinces. Following the release of the preliminary results, provincial council candidates across the country complained of discrepancies in results, and, in certain cases, bias in favour of a particular tribe or ethnicity. Dissatisfaction and resentment were also expressed with respect to delays in the issuance of the final results.

11. Several international and domestic entities that had participated in observing the presidential and provincial council elections are completing their final reports and findings. Initial indications suggest that there is an emerging consensus among both local and international experts on the need for reform of the electoral system before the 2010 elections (parliamentary, district and mayoral) and future electoral processes in Afghanistan, including a review of the appointment mechanism of Independent Electoral Commission commissioners to ensure its impartiality, as well as a review of how to build sustainable structures for the organization of elections, how to further improve the voter registration system, how to further develop domestic observation and how to strengthen the legal framework for elections. The current debate centres on the degree of reform to be achieved in time to hold elections in 2010 since some of these improvements will take at least one year to implement. Ultimately, it will be for the relevant Afghan authorities to decide on a viable solution.

12. Upon the certification of the presidential election results in favour of Hamid Karzai, dignitaries from several donor and troop-contributing countries issued congratulatory statements to the President. At the same time, most statements, including those of the United Nations, encouraged the re-elected President to form a competent Cabinet with reform-minded ministers, to improve governance and to root out corruption. Given the irregularities experienced in the 2009 presidential election, the newly appointed Government will have to demonstrate its legitimacy by the manner in which it delivers on its commitments.

13. On 19 November, Hamid Karzai was inaugurated as President for a second five-year term in a ceremony attended by numerous Afghan and international dignitaries. In his inauguration speech, President Karzai spoke of national unity and reconciliation and of opening a new chapter in the cooperation between Afghanistan and its international partners, and stated that the Government of Afghanistan was committed to end the culture of impunity and to bring to justice those involved in corruption. On 19 December 2009, President Karzai nominated 23 candidates to the Cabinet, which consists of 25 ministers. Under the Afghan Constitution, all nominated ministers must receive a vote of confidence from the Wolesi Jirga (lower house). The Wolesi Jirga delayed its scheduled recess in anticipation of an announcement by President Karzai of a new Government and continues the debate on the Cabinet. On 23 November, the office of the Attorney General announced that two Cabinet officials and 12 former ministers were under investigation for alleged embezzlement.

14. Tensions in the run-up to the finalization of the presidential election results negatively affected the functioning of the Government at the national and subnational levels and had an impact on the investment climate. A number of banking institutions reported an increased withdrawal of money from private

accounts. Embassies in Kabul noted a large increase in applications for visas by Afghans, a sign of widespread public concern over economic and social security in the country.

15. Demands for the commencement of a peace process and reconciliation became a common political slogan. In his inaugural speech, President Karzai noted that national reconciliation was at the top of Afghanistan's peacebuilding agenda and invited dissatisfied Afghans not directly linked to international terrorism to return to Afghanistan. President Karzai reiterated that talks with the armed opposition, including the Taliban leadership, should become the first major political initiative that he intends to launch immediately after the confirmation of the new Government by the Parliament. Localized reintegration activity saw some progress. Reports indicate that, in the Pashtun Zarghun district of Herat, 57 men loyal to anti-Government elements had surrendered to authorities. In the Qala-e-Zal district of Kunduz, an illegal armed group of 12 men also laid down their weapons. Similarly, 26 anti-Government elements in Paktika, 24 in Ghazni and 51 in Baghlan declared their intent to renounce violence. in all these cases, the reconciled elements requested employment in the Afghan National Police or community police.

16. During the reporting period, the Afghan Parliament continued legislative activity. During this time, the Wolesi Jirga passed the Counter-Terrorism Law, Antitrust Law and Firearms Law and approved the amendments to the six-month State budget. A draft law on the elimination of violence against women, endorsed by presidential decree on 19 July, concomitant with the amended Shia Personal Status law, still awaits endorsement by Parliament. The draft law on the elimination of violence against women criminalizes sexual violence, including rape, forced and underage marriage, forced labour and prostitution. It represents a step forward in responding to and preventing violence against women and girls. UNAMA presented a series of possible amendments to the law to the Parliamentary Commission on Women and Civil Society. These and other proposals are now under review by the Parliament. It still remains unclear whether the draft law would take precedence over the Shia Personal Status law.

17. Sayed Pervez Kambaksh, a journalism student sentenced to death on charges of blasphemy in 2007, later commuted to 20 years imprisonment, received a presidential pardon in August 2009 and was taken out of the country during the reporting period. His case received a high level of attention both inside and outside of Afghanistan.

III. Security and security sector reform

18. The security situation in Afghanistan has worsened over the reporting period, with an average of 1,244 incidents per month in the third quarter of 2009. This represents a 65 per cent increase over the incidents in 2008. Armed clashes, improvised explosive devices and stand-off attacks constituted the majority of incidents. Improvised explosive device incidents were 60 per cent higher than in 2008. Insurgents increasingly used improvised explosive devices triggered by pressure plates, which respond to any passing vehicle. This has led to an increased risk for the United Nations in road travel and has caused an increase in civilian casualties. Geographically, insurgent violence increased in the northern provinces of Kunduz and Baghlan, destabilizing two previously peaceful provinces.

19. UNAMA recorded 784 conflict-related civilian casualties between August and October 2009, up 12 per cent from the same period in 2008. Anti-Government elements remain responsible for the largest proportion of civilian casualties (78 per cent of the total), of whom 54 per cent were victims of suicide and improvised explosive device attacks. The increased reliance of anti-Government elements on improvised explosive device attacks has demonstrated an apparent disregard for the loss of civilian life. However, it is encouraging to see that certain positive steps have continued to be taken by the Government and its international military partners to reduce the impact of military operations on the civilian population.

20. The civilian population suffered from intimidation and threats aimed at discouraging people from participating in the second round of the presidential elections initially planned for 7 November. Insurgents followed up their threats with abductions and assassinations, targeting community leaders and clerics in particular. Such tactics do not only discourage the population from cooperating with the Government but also destroy social structures and the traditional security mechanisms provided by local communities.

21. The limited ability of the Government to deliver basic services to the people was further affected by the upsurge in violence and the expansion of the insurgency, widening the gap between the Government and its people. Local government administrations in provinces that have a considerable insurgent presence, such as Badghis, Kapisa, Khost and Uruzgan, had to decrease movements and access to areas outside the provincial capitals. In many areas, movement outside the provincial capitals was dependent on international military air transport. At the district level, where insurgents are active, the Government presence was generally limited to an area surrounding the district centres. In addition, particularly in the most remote districts, the local administration has limited financial and human resources to carry out even the most basic Government functions. Many of these district centres are only protected by a small number of Afghan National Police, who have continued to be the main target and therefore suffer the highest casualties from insurgent attacks. Insurgents increasingly capitalized on the limited Government presence by instituting shadow provincial administrations, collecting taxes, administering "justice", resolving land disputes, executing alleged criminals and enforcing conservative social habits.

22. The deteriorating security environment also had an impact on the delivery of aid. Attacks against the aid community slightly increased in the reporting period, making them a nearly daily occurrence. The protection of aid workers provided by the local communities was undermined by frequent attacks against community leaders. On average, the insurgents assassinated nine people per week in the third quarter of 2009, one of whom on average was a community leader. The continuing high rate of direct intimidation of national staff working for the aid community, including the United Nations, continued to pose obstacles to programme delivery. In the south, south-east and east, isolated reports were received regarding Government officials being forced to bribe insurgent commanders in order to facilitate the continued operation of schools and allow for the implementation of certain development projects. This highlights the heightened ability of the insurgents to exert their authority and influence over the implementation of development activities.

23. The reporting period was also marked by a dramatic deterioration in security, with the return of suicide attacks in Kabul, whereas there had been no such attacks between 15 March and 15 August 2009. The deployment of an additional 5,000 policemen in the nine square kilometres forming the centre of Kabul (the "Ring of Steel") provided only limited relief. Five suicide attacks with vehicle-born explosives were conducted by insurgents inside that area in August and September. Incidents inside the "Ring of Steel" increased to the levels experienced in 2008. However, several attacks in the capital were also prevented owing to the efficient work of Afghan security institutions with international assistance.

24. The security of United Nations staff was seriously affected by the direct and deliberate attack in the early morning of 28 October against a guest house in Kabul, in which over 30 United Nations personnel resided. This attack, for which the Taliban claimed responsibility, killed five staff members and wounded five. Only the truly heroic acts of United Nations security personnel who lived in the guest house, two of whom were killed in the line of duty, prevented further casualties. This incident followed several other Taliban attacks carried out over the past 14 months that affected United Nations personnel or premises, in the form of improvised explosive devices, ambushes or stand-off attacks on offices. Among these incidents were a suicide attack against a United Nations convoy in Spin Buldak in September 2008, improvised explosive device attacks against United Nations vehicles in Uruzgan and Parwan in May and June 2009, respectively, and four rocket attacks against United Nations premises in Herat during 2009. The 28 October attack was similar to the complex suicide attacks that have increasingly targeted Government installations, as noted in my previous reports (A/63/892-S/2009/323 and A/64/364-S/2009/475). This tragic attack has increased the level of risk exposure of the United Nations, and has forced the United Nations in Afghanistan, including UNAMA, to temporarily relocate some staff outside of Afghanistan (see para. 39 below).

25. There are currently no indications that the security situation at the end of 2009 and in early 2010 will improve. To reverse the downward trend, the new Government will have to show resolve in implementing a political reform that addresses the root causes of the insurgency, including through efforts aimed at improving governance and an Afghan-led political process to re-establish peace. Without such reforms and the combined, intensified efforts of the international community, the insurgency is unlikely to show signs of abating, and a resolution to the conflict will remain elusive.

26. Another key element to ensuring long-term stability in Afghanistan is the planned increase in the quality and number of the Afghan National Police and Afghan National Army personnel, including through institutional reforms. A consensus has belatedly emerged among relevant Government institutions and international stakeholders regarding the need for the Afghan National Police to fulfil both counter-insurgency and law enforcement tasks. To this end, the Afghan Minister of the interior has presented a plan for restructuring the Afghan National Police that aims to establish an Afghan gendarmerie while strengthening the community police and other specialized units.

27. The Community Defence Initiative, launched by the United States military and currently implemented by the Directorate for the protection of public spaces and highways through tribal support, offers some opportunities for using local security

forces as a means to combat the insurgency and as a stabilization programme. It is foreseen that community-based development funds will be provided by the Community Defence Initiative for those areas where the initiative is deemed successful. Resources are to be distributed through a trust fund supported by international partners. Modalities for the trust fund have yet to be worked out, including institutional oversight and implementation. It is planned that the Ministry of Rural Reconstruction and Development will be one of the Government partners for implementation in the long term.

28. It is critical that all of these newly emerging initiatives be underpinned by internal governance reforms and supported by adequate training, including by civilian policing experts within the North Atlantic Treaty Organization training mission and the European Union police mission. A clear framework to define the roles and functions of the various Afghan security forces is yet to be developed.

IV. Aid effectiveness, donor coordination and development

29. As noted in my previous report (A/64/364-S/2009/475), the Government and the international community have identified the need to significantly refocus the Afghan National Development Strategy in order to improve its implementation. The Government has decided to focus principally on projects that stimulate economic growth so as to improve revenue collection and create job opportunities. UNAMA strongly supports this approach, which demonstrates a commitment by the Government to sustaining its own future when the international community's presence and funding is eventually reduced.

30. To achieve this objective, the Ministry of Finance proposed implementing the Afghan National Development Strategy by concentrating on three strategic areas: agriculture and rural development; human resource development (skills training); and infrastructure and economic development. This may be supplemented by governance as a fourth critical area. UNAMA has been working with key donor countries to encourage funding for those strategic areas in their next budget cycles.

31. In the areas of donor coordination and aid effectiveness, UNAMA is stretching its limited resources to support the Government's refocusing and restructuring efforts, to assist Ministries in developing and executing new programme initiatives in key sectors and to coordinate donor support for these processes. There are also increasing demands on UNAMA from the international community to improve coordination in areas outside of the current focus on economic development, such as regional cooperation. Further, the growing role of the International Security Assistance Force, particularly in the civilian areas of development, such as governance and capacity-building, also requires new substantial coordination efforts. However, the departure of previously provided experts working with ministries, as well as difficulties in identifying and recruiting qualified new staff, seriously hamper the capacity of the Mission to respond effectively.

32. The Resident Coordinator and the Minister of Economy launched the United Nations Development Assistance Framework on 22 October, marking United Nations Day. The representatives of various ministries welcomed the new approach and the commitment to a "Delivering as one" United Nations model, based on alignment with Government priorities and focused on key provinces. The selection of the key provinces, which will be supported by a United Nations common fund, is

based on two criteria: relative security and underfunding to date. The United Nations country team further demonstrated its capacity to work cooperatively on key issues, which resulted in the signing of agreements for two new joint programmes. On 27 October, the Government of Afghanistan and five United Nations agencies signed the agreement for the "Youth for Afghanistan's future" project, which provides the youth in rural areas with alternatives to joining the insurgency. The agreement for the second joint programme, "LEARN", was signed on 11 November by the Government of Afghanistan and eight United Nations agencies and aims to increase functional literacy.

33. During the reporting period, farmers in southern Afghanistan prepared their fields for opium cultivation to be harvested in early 2010. The opium poppy planting season in the northern provinces begins later in the year. Instability and insecurity have enticed farmers and traders to stockpile wet opium as a secure investment for troubled times. This trend has the potential to undo the market-driven decline in acreage of opium poppy fields seen over the past two years. Although opium prices remain low compared to previous years, a recent new increase in price has been registered. On 21 October, the United Nations Office on Drugs and Crime launched its report entitled "Addiction, crime and insurgency: the transnational threat of Afghan opium", describing how the flows of Afghan opiates are distributed in the world and analysing the extent to which regional insurgency or instability is fuelled by the Afghan opiate industry.

34. Polio remains a major health concern in Afghanistan. From January to October 2009, a total of 24 confirmed polio cases were reported, mainly in the south. During the United Nations Peace campaign, 1.2 million children were vaccinated against polio. The Taliban committed to not attacking vaccination teams, allowing the programme to get to areas that had been inaccessible in previous years. Nonetheless, 3 per cent of the target group was not reached, mainly as a result of ongoing fighting.

35. As of mid-November, 54,272 individuals had been assisted in their return to Afghanistan, mainly from Iran (Islamic Republic of) (5,758), Pakistan (48,320) and other countries (194). In 2009, the repatriation of Afghans from neighbouring countries was considerably lower than in 2008. The stated destinations of returning Afghans from Pakistan were the northern region (30 per cent), the eastern region (29 per cent) and the central region (27 per cent). Afghans destined for the southern, south-eastern, western and central highland regions constituted 14 per cent of the returnees from Pakistan. Insecurity and lack of employment opportunities in Pakistan, as well as an increase in violence in the southern and eastern provinces of Afghanistan bordering Pakistan, were cited as major factors influencing their decision as to whether or not to return to Afghanistan. The Office of the United Nations High Commissioner for Refugees (UNHCR) is making initial arrangements to assist some 165,000 returnees from neighbouring countries in 2010.

36. At the end of October, UNHCR estimated that a total of 275,945 persons had been internally displaced in Afghanistan, including both new and protracted displacements. This requires an additional response capacity by the already over-stretched humanitarian community.

V. Mission support and expansion of the United Nations Assistance Mission in Afghanistan

37. Despite the deteriorating security situation, the 20 regional and provincial offices of UNAMA continued to generate opportunities for political outreach and maintained wide-ranging networks among politically influential local actors, as well as with elements that felt disenfranchised from the Government. They also continued to encourage other international aid providers to deliver much-needed assistance in underserved provinces and provided a platform for the United Nations system to pursue their programme activities in a coordinated manner. UNAMA field offices advised provincial councils on formulating development plans and priorities and maintained close contact with the provincial reconstruction teams of the International Security Assistance Force regarding local needs and priorities. International and national stakeholders, including the local population in particular, have expressed appreciation for the role played by the Mission field offices.

38. In my previous report (A/64/364-S/2009/475), I updated the Security Council on the planned opening of new provincial offices in 2009, as well as on the proposed opening of additional offices in 2010. The 28 October attack and its aftermath absorbed much of UNAMA mission support capacities and caused a delay in the opening of the offices. The provincial office in Farah has been set up and staffed as planned. The target opening date for the offices of Jawzjan and Takhar is targeted for early 2010.

39. Following the 28 October attack on a guest house in Kabul where United Nations staff resided, a decision was taken to temporarily relocate some United Nations personnel within Afghanistan as well as to other duty stations, pending the identification of secure residential premises for all staff. Since the incident, an average of 340 United Nations international personnel have temporarily been relocated outside of Afghanistan, of whom approximately 70 are UNAMA staff, almost all from mission support units. UNAMA regional and provincial offices were not affected by the temporary relocation and are operating normally, with the exception of the Kunar provincial office where international staff have temporarily been relocated. Some UNAMA field offices have recently reported even higher levels of activity, despite the security restrictions. However, following direct or indirect attacks on United Nations personnel and premises throughout 2009, all UNAMA offices are implementing special precautionary measures aimed at strengthening their safety and security. These measures include a review of emergency plans and associated training, enhanced fortification of compounds, the closing of guest houses that do not meet security requirements, an increase in the number of external guards, introduction of international armed security guards, exclusive use by the United Nations of armoured vehicles on vulnerable roads, reliance on air transport wherever possible and restrictions on road travel.

40. I have stated on numerous occasions that the United Nations would not be deterred and would remain committed to continuing its work in the country; over 6,000 United Nations national and international personnel remain on the ground. The United Nations plays an important role in Afghanistan and has the support of the Afghan people to continuing it. At the same time, however, the fact that the 28 October attack was the most serious perpetrated against the United Nations in Afghanistan in over half a century cannot be overlooked.

41. A significant part of what was, and still is, required for UNAMA operations in Afghanistan is already included in the UNAMA 2010 budget proposal, which was planned before the attack on the guest house in Kabul on 28 October 2009. That proposal includes: (a) strengthening of the number of current UNAMA security section personnel, including for the six new offices proposed for 2010; (b) an enhanced Close Protection Unit in terms of officers, equipment and training; (c) internal private armed protection for existing and projected UNAMA offices in risk and medium-risk areas; (d) blast protection assessments for UNAMA locations; (e) security services, equipment and access control for existing and projected UNAMA offices; (f) the contribution of UNAMA to the "Closing the security gap" project, which essentially aims at drastically improving the recruitment, performance, equipment and training of Afghan forces appointed to provide external armed security to UNAMA offices and accommodation premises; and (g) an enhanced security training programme. UNAMA security requirements, as outlined in the 2010 budget proposal, also include engineering equipment and material for basic blast protection for existing and projected UNAMA offices, B6 armoured vehicles, technical equipment to implement a security information operation tracking system and additional air assets to meet the increasing demand for such travel and to be pre-positioned in key locations within the country for emergency purposes.

42. The 2010 budget of UNAMA, which included the above-mentioned proposals, was thus of paramount importance. As a special political mission, requirements for UNAMA were included in the overall special political mission budget, which has been approved, with some cuts. The Mission will have to maintain and develop programme delivery with fewer resources than planned, in increasingly challenging security conditions and in a more demanding political environment.

VI. Observations

43. The controversial 2009 elections undermined confidence in Afghanistan's leadership and affected international support for the engagement in Afghanistan. However, it ultimately yielded a result that was acceptable to Afghans and respected Afghanistan's laws and institutions. Most of the reporting and analysis on the elections have focused on the flaws of the electoral process itself. Some have even argued that the process was so flawed that it had condemned the state-building process to failure. This is incorrect. Rather, it is the weaknesses in the state-building process so far, including the ongoing culture of impunity, the still inadequate security forces, corruption and the insufficient pace of institution-building, that undermined the electoral process.

44. The elections were a revealing snapshot of what has not been achieved in Afghanistan. Despite the flaws, however, this is not a reason to abandon what has been achieved and what must now be built upon.

45. It is also important to clarify what did work in the electoral process. Fraud was widespread, but it was detected and addressed by the institutions created under Afghan law to do so. The 6 September decision by the Independent Electoral Commission to accept all votes in its preliminary count, even those that showed clear signs of being fraudulent, despite the urging of my Special Representative not to do so, was undoubtedly an institutional failure. However, the subsequent order by the Electoral Complaints Commission to the Independent Electoral Commission to

audit those votes, and the compliance of the Independent Electoral Commission with that order, corrected the failure. The creation of a robust Electoral Complaints Commission, at the recommendation of my Special Representative earlier in the year, while others proposed a leaner structure, was intended precisely to address such a situation. During the audit, the United Nations mobilized the required expertise to assist the Independent Electoral Commission in this complex exercise and worked closely with both the Independent Electoral Commission and the Electoral Complaints Commission to avoid a clash between the two institutions. My Special Representative, in the meantime, maintained a constant dialogue with the main political actors in order to ensure that they fully understood the process and to encourage them to respect its outcome. The stakes were tremendously high for all involved, in particular for the two remaining candidates: for President Karzai to accept a second round; and for Dr. Abdullah to accept a result from a process that had evident flaws and which gave him legitimate grounds to contest.

46. The flaws turned the elections into a political crisis, as has happened elsewhere in the world. The political crisis risked becoming a constitutional crisis, the effects of which could have generated immense political instability, jeopardizing every effort made and every sacrifice borne since the Bonn Agreement. The precariousness of the situation was presented in a thoughtful report issued recently by the Afghanistan Research and Evaluation Unit, which, on the basis of a survey conducted throughout the electoral process, revealed that many Afghans feared that the process would lead to a renewed civil war, as had occurred in 1992 when the political consensus among Afghanistan's leaders broke down.

47. The resolution of the crisis required great diplomatic skill by all involved, in particular by my Special Representative, Senator Kerry, and the members of the diplomatic community in Kabul, who were consulted constantly, who endorsed each decision made by my Special Representative and who in their own ways contributed to the successful resolution of the crisis. It is a tribute to these skills that, as the crisis reached its resolution, both candidates expressed their gratitude to and their confidence in my Special Representative.

48. The electoral process has absorbed tremendous political energy during the past half year. It has revealed serious flaws and weaknesses that need to be corrected before the United Nations can engage in a similar supporting role for future elections. Together with the deteriorating security situation, the protracted electoral process has contributed to a gloomy atmosphere. If the negative trends are not corrected, there is a risk that the deteriorating overall situation will become irreversible. We cannot afford this.

49. To reverse the negative trends, a more focused and better coordinated international effort, within the framework of a strategy of transition, is urgently required. The speech of President Obama on 1 December and the International Security Assistance Force foreign ministers meeting held on 4 December represented the first steps towards formulating this strategy, with the emphasis on building up the Afghan National Security Forces and the gradual handover of responsibility for security to Afghanistan's own authorities. This must now be followed up at the International Conference on Afghanistan to be held in London on 28 January and a subsequent conference to be held in Kabul. It will require commitments both by the Government of Afghanistan to implement reforms and set firm priorities and by the international community to assist in developing programmes and provide resources to implement them. This applies to the build-up of security forces and civilian institutions as well as economic development.

50. We are now at a critical juncture. The situation cannot continue as is if we are to succeed in Afghanistan. Unity of effort and greater attention to key priorities are now a sine qua non. There is a need for a change of mindset in the international community as well as in the Government of Afghanistan. Without that change, the prospects of success will diminish further.

51. My strong appeal both to the Government of Afghanistan and to the international community is therefore to make the best possible use of the next months in a concerted effort to focus on agreed priorities and to coordinate in a way that avoids waste of resources and is impact-oriented.

52. There is a need for a reinforced international coordination structure in Afghanistan under a United Nations umbrella. While my Special Representative maintains overall responsibility for the coordination of international civilian efforts, UNAMA has to be strengthened with staff who have the required experience and are able to engage better in discussions with key donor Governments and embassies in Kabul. In this regard, my Special Representative also believes that appointing a senior civilian official within the International Security Assistance Force would help to improve coordination of its political and development efforts, in particular by the provincial reconstruction teams, so as to ensure their greater adherence to Afghan plans and priorities across provincial borders.

53. To further enhance the coordination of civilian efforts, the viability of a dedicated civilian structure is being explored in consultation with the Government of Afghanistan and international stakeholders. If established, such a structure should be co-chaired by an Afghan minister and my Special Representative, with the participation of the International Security Assistance Force, the European Union, the World Bank and the major donors.

54. I believe that in order to be successful, any form of international coordination must be properly linked to the Government of Afghanistan. Thus, a reinforced and dedicated civilian coordination structure would, in addition to encouraging leading donors to engage more in coordination and in facilitating the coordination mandate of UNAMA, better contribute to the gradual transfer of authority to the Government, so that it could ultimately have the authority for overall coordination and ensure compliance with its own programmes and priorities. This is the main objective of a transition strategy. Such an approach has my support.

55. Notwithstanding the need for an enhanced coordination architecture, the main obstacle to better coordination is not the lack of structures. It results partly from a lack of sufficient resources, but mainly from a lack of political readiness in donor countries to adapt their thinking to meet the principal requirements of building sustainable institutions that can deliver services to the Afghan people and of developing an economy that can gradually carry more of the responsibility for the well-being of its people. If the international community were to continue along a course of substituting local capacity, rather than of capacity-building, the result would be entrenchment and ultimately failure.

56. The past few months have been difficult ones for all who have engaged in Afghanistan. I thank my Special Representative for his strong and effective leadership, and the men and women of UNAMA for their dedication and commitment in a difficult and challenging environment.